

Such proposals also seek to enable international carriers to enter and exit the market more quickly with greater flexibility to meet the evolving needs of a global telecommunications market.

C. Legal Basis

The proposed action is authorized under Sections 4 and 203 of the Communications Act of 1934, as amended, 47 U.S.C. 154, 203 (1995).

D. Reporting, Recordkeeping and Other Compliance Requirements

None.

E. Federal Rules That Overlap, Duplicate or Conflict With These Rules

None.

F. Description, Potential Impact, and Number of Small Entities Involved

The proposals discussed in this notice of proposed rulemaking will reduce regulatory requirements on small resellers and facilities-based providers who file international Section 214 authorization applications and tariffs. These proposals also are intended to enable these carriers to enter and exit the market more quickly thereby enabling increased competition in the international markets. Copies of this notice will be sent to the Chief Counsel for Advocacy of the Small Business Administration.

G. Any Significant Alternatives Minimizing the Impact on Small Entities Consistent With Stated Objective(s)

None.

Summary of Notice of Proposed Rulemaking

The Notice of Proposed Rulemaking proposes to streamline the international Section 214 authorization process and tariff requirements. The proposed rules would greatly reduce the regulatory burdens on applicants, authorized carriers, and the Commission and make it easier for carriers to enter, expand and exit the international service market.

The notice proposes to ease entry into the marketplace by enabling a nondominant carrier to obtain a global Section 214 authorization, which is not limited to specific carrier facilities. This authorization would allow carriers to provide international services to virtually all points in the world, using any licensed facility. This authorization would be subject to an exclusion list that the Commission would publish identifying countries or facilities for which there are restrictions. To further ease entry into the international marketplace, the Notice proposes to simplify and accelerate the Section 214

and cable landing license application process. The notice proposes to reduce the detailed information now required of these applicants. To accelerate the Commission's processing of applications, the Notice proposes to shorten the comment period on applications that are subject to streamlined processing for facilities-based and resale applicants from 30 to 21 days and for nonstreamlined applications from 30 to 28 days and proposes a 14 day reply period for all applications. The notice also proposes to encourage electronic filing of international Section 214 applications and to require that applications in foreign languages be accompanied with a certified translation in English.

The notice also would eliminate several regulatory requirements that delay carriers from expanding their services. Under the proposals, resellers could provide international resale services via any authorized common carrier, except those affiliated with the reseller, without obtaining additional authority. Private line resale carriers could resell interconnected private lines for switched services to all designated "equivalent" countries, without obtaining additional authority to serve each equivalent county. Carriers may add circuits on private satellite or cable systems, without obtaining prior authority.

The notice also eases exit from the market, as the proposals allow dominant carriers to automatically convey transmission capacity in submarine cables to other carriers without obtaining prior Section 214 authority. Additionally, the proposals allow nondominant carriers to provide 60, as opposed to 120, days' notice to their customers before discontinuing service or retiring facilities.

The notice also proposes to further streamline the tariff requirements for nondominant international resale and facilities-based carriers by permitting them to file their international tariffed rates on one day's notice instead of the current 14 days' notice. And, the Commission seeks comment, in general, on whether to streamline the international tariff process.

Finally, the Commission seeks comments on what, if any, Section 214 authorization requirements it should forbear from applying if given forbearance authority by Congress.

List of Subjects

47 CFR Part 61

Communications common carriers.

47 CFR Part 63

Communications common carriers.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 93-142; RM-8208]

Television Broadcasting Services; Willits, CA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal.

SUMMARY: This document dismisses a petition filed on behalf of Granite Broadcasting Corporation and KNTV, Inc., owner and licensee, respectively of Station KNTV(TV), Channel 11, San Jose, California, seeking the deletion of vacant VHF television Channel 11 at Willits, California, to accommodate its preference to relocate the transmitter of Station KNTV(TV) to a seismologically safer site. See 58 FR 31686, June 4, 1993. An expression of interest in retaining vacant Channel 11 at Willits, combined with the petitioner's inability to demonstrate a compelling showing that the public interest would be better served by its proposal, precludes deletion of the Willits allotment. With this action, the proceeding is terminated.

FOR FURTHER INFORMATION CONTACT:

Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 93-142, adopted July 11, 1995, and released July 19, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

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ENVIRONMENTAL PROTECTION AGENCY

48 CFR Parts 1523 and 1552

[FRL-5260-5]

Acquisition Regulation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed Rule.

SUMMARY: This document proposes to add coverage to the EPA Acquisition Regulation (EPAAR) on energy-efficient computer equipment. This proposed rule is necessary for ensuring that all purchases of microcomputers, including personal computers, monitors, and printers meet "EPA Energy Star" requirements for energy efficiency, unless exempted.

DATES: Written comments on this proposed rule must be received on or before September 25, 1995.

ADDRESSES: Comments should be addressed to the Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, Attn: Paul Schaffer (Mail Code 3802F). Comments may also be transmitted electronically by electronic mail (e-mail) to Schaffer.paul@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments will also be accepted on disk in Wordperfect in 5.1 file format or ASCII file format. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments of the proposed rule may be filed online at many Federal Deposit Libraries.

FOR FURTHER INFORMATION CONTACT: Paul Schaffer at (202) 260-9032.

SUPPLEMENTARY INFORMATION:

A. Background

Executive Order 12845 (April 23, 1993) requires the Federal Government to purchase only microcomputers, including personal computers, monitors and printers, which meet "EPA Energy Star" requirements for energy efficiency.

B. Executive Order 12866

This final rule is not a significant regulatory action as defined in Executive Order 12866. Therefore no review is required at the Office of Information and Regulatory Affairs within OMB.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final rule does not propose any information collection

requirements which would require the approval of OMB under 44 U.S.C. 3501, *et seq.*

D. Regulatory Flexibility Act

The EPA certifies this proposed rule does not exert a significant economic impact on a substantial number of small entities. The proposed rule establishes EPA policy for purchasing microcomputers, including personal computers, monitors, and printers which must meet "EPA Energy Star" requirements for energy efficiency. The "Energy Star Program" is a voluntary partnership effort with the computer industry, which includes small entities, to promote the introduction of energy-efficient personal computers, monitors, and printers which can reduce air pollution caused by utility power generation. The "Energy Star Program" has no barriers to entry for small entities to procure or develop the necessary technology or components to manufacture Energy Star compliant computers, monitors and printers. Therefore, no regulatory flexibility analysis has been prepared.

E. Unfunded Mandates

This proposed rule will not impose unfunded mandates on state or local entities or others.

List of Subjects in 48 CFR Parts 1523 and 1552

Environmental Conservation, and Environmental Safety, Solicitation Provisions and Contract Clauses.

For the reasons set out in the preamble, Chapter 15 of Title 48 Code of Federal Regulations is proposed to be amended as set forth below:

1. The authority citation for Parts 1523 and 1552 continues to read as follows:

Authority: Sec 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

2. Subpart 1523.70 is added to read as follows:

PART 1523 ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE.

Subpart 1523.70—Energy-Efficient Computer Equipment

1523.7000 Background.

(a) Executive Order 12845 requires the Federal Government to purchase only microcomputers, including personal computers, monitors and printers, which meet "EPA Energy Star" requirements for energy efficiency. This equipment is often identified by the Energy Star TM logo and is capable of

entering and recovering from an energy-efficient low power state.

(b) The EPA Energy Star Computer Program is a voluntary partnership effort with the computer industry to promote the introduction of energy-efficient personal computers, monitors, and printers which can reduce air pollution caused by utility power generation, and ease the burden on building air conditioning and electrical systems. The Energy Star Program is designed to be a self-certifying computer industry program, policed informally by the computer industry itself.

(c) FIRM Bulletin C-35 (dated 11/19/93) describes procedures that will promote the acquisition of energy-efficient microcomputers and associated computer equipment.

1523.7001 Policy.

(a) The "Energy Star" Executive Order *applies* to the following equipment:

- (1) Personal Computers (stand-alone).
- (2) Personal Computers (end-user on network).
- (3) Notebook and other portable computers.

(4) PC printers—laser, inkjet or dot matrix (stand-alone or networked).

(5) High-speed printers used on a PC network (less than approximately 20 pages per minute).

(6) Monitors (CRT or Flat-panel LCD).

(b) "Energy Star" requirements *do not* apply to the following equipment:

- (1) Workstations.
- (2) File servers.
- (3) Mainframe equipment.
- (4) Minicomputers.
- (5) High-speed printers used with mainframe computers (30 or more pages per minute).
- (6) Mainframe or "dumb" terminals.
- (7) X-terminals.

(c) All new acquisitions for microcomputers, including personal computers, monitors, and printers shall contain specifications which meet EPA Energy Star requirements for energy efficiency unless a waiver has been obtained in accordance with internal Agency procedures.

(d) The Energy Star requirement also applies to all applicable equipment ordered from GSA Schedule Contracts, open market buys, Bankcard purchases (Bankcard purchases of equipment in excess of \$1,000 are prohibited), contractor-acquired property where title reverts to the Agency upon completion of the contract, and Government-furnished property.

1523.7002 Waivers.

(a) There are several types of computer equipment which technically fall under the current Energy Star

Program, but for which EPA established blanket waivers because Energy Star compliant versions of this equipment were unavailable in the marketplace. Blanket waivers apply to the following types of equipment:

- (1) LAN servers, including file servers; application servers; communication servers; including bridges and routers;
 - (2) UNIX RISC based processors with their high-end monitors;
 - (3) Large LAN printers (greater than 19 pages/minute output); and
 - (4) Scientific computing equipment which is used for real-time data acquisition and which, if subjected to a power down mode, would jeopardize the research project.
- (b) It is anticipated that there will be Energy Star models of this equipment in the future; but in the near term, EPA will not specify Energy Star qualifications when purchasing the above items.

1523.7003 Contract Clause.

The Contracting Officer shall insert the clause at 1552.239-103, for the acquisition of microcomputers, including personal computers, monitors, printers, which are Energy Star compliant in all solicitations and contracts, including contractor-acquired property where the title reverts to the Agency upon completion of the contract.

3. Section 1552.239-103 is added to read as follows:

1552.239-103 Acquisition of Energy Star Compliant Microcomputers, Including Personal Computers, Monitors and Printers.

Acquisition of Energy Star Compliant Microcomputers, Including Personal Computers, Monitors, and Printers

July 1995

(a) The Contractor shall provide computer products that meet EPA Energy Star requirements for energy efficiency. By acceptance of this contract, the Contractor certifies that all microcomputers, including personal computers, monitors, and printers, meet EPA Energy Star requirements for energy efficiency.

(b) The Contractor shall ship all products with the standby feature activated or enabled.

(c) The Contractor shall provide models that have equivalent functionality to similar non-power managed models. This functionality should include as a minimum:

- (1) The ability to run commercial off-the-shelf software both before and after recovery from a low power state, including retention of files opened (with no loss of data) before the power management feature was activated.
- (2) If equipment will be used on a local area network (LAN), the contractor shall provide equipment that is fully compatible with network environments, e.g., PC's resting

in a low-power state should not be disconnected from the network.

(d) The contractor shall provide monitors that are capable of being powered down when connected to the accompanying PC.

(End of Clause)

July 7, 1995.

Jeanette L. Brown,

Acting Director, Office of Acquisition Management.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1809, 1830, and 1831

NASA FAR Supplement; Rewrite of NASA Policy on Contractor Qualifications, Cost Accounting Standards Administration, and Contract Cost Principles and Procedures

AGENCY: Office of Procurement, Contract Management Division, National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: This is a proposed revision of the NASA FAR Supplement in order to rewrite NASA policy on Contractor Qualifications, Cost Accounting Standards Administration, and Contract Cost Principles and Procedures. The changes are intended to streamline the regulation.

DATES: Comments are due on or before September 25, 1995.

ADDRESSES: Comments should be addressed to: National Aeronautics and Space Administration, Contract Management Division (Code HK/Beck), Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: David K. Beck, (202) 358-0482.

SUPPLEMENTARY INFORMATION:

Background

We are rewriting the NASA FAR Supplement in order to streamline the regulation, delegate authority to the lowest possible level, and eliminate unnecessary reports and requirements. This rule proposes revisions to three parts of the NASA FAR Supplement. Although the revisions are minor, we are publishing these changes for comment because the parts cover topics of considerable interest to NASA contractors.

Summary of Changes

The policy on Canadian subcontractors is shortened and relocated to § 1809.104-4. The policy on

contractor use of "Made in America" labels is removed because the topic is addressed by FAR 9.406-2(a)(4). The discussion of conditions for preaward surveys at § 1809.106-1 is removed because it is unnecessary guidance.

Several changes are made to § 1809.106-70 on preaward surveys. Paragraphs (d) (2) and (3) are changed in order to remove unnecessary words and provide additional guidance on requesting surveys. Unnecessary words are removed from paragraphs (j)(4) and (k)(1).

In paragraph 1809.202(a), the responsibility for justifying qualification requirements is restated. Paragraphs 1809.203-70(a) and 1809.206-1(b) are changed to indicate current organizational names. Paragraph 1809.203-70(c) is removed because it is not needed in this regulation.

Subpart 1809.4 on debarment is revised in order to show reassignment of this responsibility in NASA's Office of Procurement, reorganize the material for clarity, and remove redundant or unnecessary material.

The following sections on cost accounting standards (CAS) administration are removed because they provide unnecessary guidance: § 1830.101 on "national defense" contracts, § 1830.7000 on incentive contracts, § 1830.7001-2 on preaward facilities capital applications, and §§ 1830.7002 through 1830.7002-2 on facilities capital employed for facilities under construction. The remaining CAS sections are revised for clarity.

In subpart 1831 on cost principles, § 1831.205-670 is revised in order to shorten the section.

Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed changes to the NASA FAR Supplement do not impose any new recordkeeping requirements or new collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 3501, *et seq.*

Regulatory Flexibility Act

NASA certifies that this regulation will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).